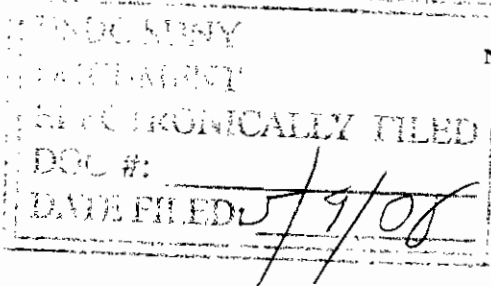


LAW OFFICES
KENNETH A. ZITTER

260 MADISON AVENUE
NEW YORK, NEW YORK 10016
(212) 532-8000



Magistrate Judge Michael J. Dolinger
United States District Judge
United States District Courthouse
500 Pearl Street
New York, New York 10007

May 9, 2008

MAY - 9 2008

Re: Carter Securities, LLC v. Marketing Worldwide Corporation
07 CV 10671 (BSJ)

Dear Magistrate Judge Dolinger:

We represent the Plaintiff in the captioned matter. Although Defendant Marketing Worldwide Corporation, in accordance with Your Honor's Order, in fact did produce documents on May 7, 2008, it has refused to reschedule the depositions of Rainer Poertner and Michael Winzkowski, its officers who were involved in underlying events. Those depositions were originally noticed for May 8 and May 9, 2008, by Notices of Deposition served on April 8, 2008. I suggested to Mr. Kaplan, Defendant's attorney, that those depositions proceed either on May 14 and 15 or on May 19 and 20 but he has failed to confirm the rescheduled depositions. If those depositions go forward any later, they will interfere with the already noticed non-party depositions for which I have served subpoenas.

I respectfully request, therefore, that Your Honor order those depositions to proceed on either of those dates.

Respectfully,

Kenneth A. Zitter

KAZ/nr

Enc.

cc: Robert M. Kaplan, Esq. (by fax)

by fax

END 02-20
6/2/08

Defendant may respond to
this application by no later than
May 12, 2008
5/9/08 [Signature]